

US EPA RECORDS CENTER REGION 5



487171

1 In re:

2
3 INTERVIEWS OF IWD DRIVERS

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5 * * *

6 Sworn statement of ROBERT J. DALTON, Witness
7 herein, called by Waste Management of North America,
8 Inc. for examination pursuant to the Rules of Civil
9 Procedure, taken before me, Caryl L. Blevins, a Notary
10 Public in and for the State of Ohio, at the offices of
11 Industrial Waste Disposal, 3975 Wagner-Ford Road,
12 Dayton, Ohio, on Monday, the 1st day of March, 1993,
13 at 5:25 o'clock p.m.

14 * * *

1 APPEARANCES:

2 On behalf of Waste Management of North America,
3 Inc.:4 By: Meg Briarton
5 Paralegal
6 Mideast Region
7 17250 Newburgh Road
8 Livonia, Michigan 48152

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1 ROBERT J. DALTON

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Can you state your name, address, and age,
8 please?

9 A. My name is Robert Dalton, and I live at
10 4 Circle Drive, West Milton, Ohio, and I'm fifty-eight
11 years old.

12 Q. And briefly let's review your employment
13 history. I've gone through your Cardington Road
14 transcript. If I'm correct, in 1962 you started with
15 IWD?

16 A. Yes.

17 Q. As a driver?

18 A. Right.

19 Q. First of all, did you have any experience
20 in the waste industry prior to being employed --

21 A. No, ma'am.

22 Q. And then you left the company from about
23 1970 to '73?

24 A. Yes.

25 Q. And returned in '73 and became a dispatcher

1 or route supervisor?

2 A. Dispatcher.

3 Q. Dispatcher?

4 A. I think it was a third shift dispatcher.

5 Q. And from 1973 until --

6 A. I would say four or five years I was
7 dispatching. Then I was made route supervisor, as I
8 remember.

9 Q. So you did that for four to five years,
10 then you became route supervisor?

11 A. Yes.

12 Q. And this is still at IWD?

13 A. Uh-hum.

14 Q. And bring me up to the present date.

15 A. Okay. Well, I'm pretty much just
16 operations supervisor at the present time.

17 Q. Okay.

18 A. And I'm at the Shelby County transfer
19 station presently.

20 Q. Now, you were at Springfield, weren't you?
21 I think the last time I spoke with you was at
22 Springfield.

23 A. Yes. I was up there a couple of years.

24 Q. I'd like to ask you to go back to the time
25 you started driving with IWD and we'll work our way up

1 to the present. Again, our focus is primarily on
2 Valleycrest and Powell Road, and we'll go over some
3 customer names and documents and you tell me what you
4 do or you don't know. All right?

5 A. Okay.

6 Q. When you started with IWD in '62, what type
7 of truck did you drive?

8 A. When I started, I was in maintenance for
9 about, oh, probably close to a year and --

10 Q. From about '62 to '63 approximately?

11 A. Roughly.

12 Q. Okay.

13 A. And then I was trained on what we call the
14 front end load.

15 Q. Okay.

16 A. I drove a couple of years.

17 Q. Okay.

18 A. And that's primarily, I think, the
19 equipment that I drove the period of time that I did
20 drive.

21 Q. Front end?

22 A. Yes. However, there was a system we had
23 called a DD, which was a Dempsey dumpster. It's a
24 piggyback-type vehicle that I drove periodically, but
25 my primary equipment that I drove was the front end

1 loader.

2 Q. So when you drove the piggyback or the DD,
3 this was almost -- was this on a relief basis?

4 A. More or less.

5 Q. More or less? Okay. So you did front end
6 and then occasionally the other?

7 A. Uh-hum.

8 Q. At that time -- I realize it's a long time
9 ago, back in '62 -- do you recall what area -- I don't
10 know if this is helpful (indicating). I have route
11 numbers and a map of the Dayton area -- what route
12 area you might have serviced when you first started
13 driving?

14 A. West. The west side of Dayton.

15 Q. And please feel free to give her -- you
16 know, if you have any street names, that would be
17 helpful.

18 A. Okay. Let me think. It would be like from
19 I-75, a sweep west back around to Vandalia, which
20 would cover practically all of the west side of Dayton
21 (indicating).

22 Q. Okay.

23 A. Let's see. I'm turned around here. Okay.
24 So that would be like this area here (indicating).

25 Q. Oh, okay. The western side. Okay. I

1 see. Down to -- let's see. You said up to Vandalia?

2 A. Yeah. Down in this section (indicating).

3 Q. And down to how far south?

4 A. Maybe where like 235 crosses here, like
5 here (indicating).

6 Q. So this northwestern corner, if you will?

7 A. Right.

8 Q. And at that time, again, in the early
9 '60's, do you have any recollection where you would
10 have hauled the waste at that time, again, knowing
11 that the incinerators opened in '70? We won't get
12 into specific customers yet, but just in general, what
13 landfills were in operation or dumping areas?

14 A. What were the dates of Valleycrest?

15 Q. Valleycrest was in operation from 1966 to
16 '75. Okay? We know that Cardington and the
17 incinerators opened in '70. Powell Road, of course,
18 would have been open, I think that was even back into
19 the '50's. I don't know that it was permitted, but it
20 was --

21 A. I don't even remember hauling to Powell
22 Road.

23 Q. But again, on this map, here's some other
24 Danis landfills (indicating), but I don't know the
25 dates for all of them. Some of them are in the

1 southern portions of the city (indicating).

2 A. Okay. In the early stages I think that I
3 dumped --

4 Q. Is this in the early '60's?

5 A. Yes.

6 Q. Early to mid '60's?

7 A. Yeah. I dumped some trash in the landfill
8 that Danis had out on Gettysburg. I don't know if
9 that's in the picture yet or not, but that's on the --

10 Q. Can you show me roughly -- I also have a
11 large map if that would be easier, but roughly where
12 that would be?

13 A. Okay. Right in this area here
14 (indicating).

15 Q. So up around here somewhere (indicating);
16 is that right?

17 A. Uh-hum.

18 Q. Do you recall what the name was?

19 A. I don't know if it ever had a name. I
20 just --

21 Q. Oh, it was on Gettysburg?

22 A. Gettysburg landfill.

23 Q. I remember hearing a reference to one on
24 Gettysburg, but I wasn't sure if it had another name.

25 A. Let's see, now. In '65 -- I only drove for

1 about two or two and a half years.

2 Q. Right.

3 A. And then I was brought in as a night
4 dispatcher in about '65, I think.

5 Q. Oh, you were? Okay.

6 A. And --

7 Q. And then you stopped driving?

8 A. Yes, at that point in time. And I -- I
9 think I was a third shift dispatcher for about a year,
10 and then I went into sales.

11 Q. Boy, you've done just about everything,
12 huh?

13 A. Yeah.

14 Q. So you drove from about '62 to '65, then
15 you came in as a night dispatcher, then you went into
16 sales. Did that bring you up to about 1970, at which
17 time you left?

18 A. Yes.

19 Q. And then you were gone. Then you came back
20 again and worked as a dispatcher for the third shift,
21 but you didn't drive at all?

22 A. No.

23 Q. So the period that you did drive was about
24 '62 to '65 --

25 A. Roughly, yes.

1 Q. -- which was just before Valleycrest
2 opened? All right. And you hauled to the landfill,
3 the Danis landfill on Gettysburg?

4 A. Right.

5 Q. Anyplace else that you can recall at that
6 time?

7 A. That I may have dumped?

8 Q. Yes.

9 A. Okay. Groves, Roger Groves landfill out
10 on -- I think it's Vance Road.

11 Q. Is that the one also known as Vance Road
12 sometimes? Some of the drivers have referred to it as
13 Groves, some have called it Vance Road.

14 A. Well, at the time when I dumped, it was on
15 the opposite side of the road that it presently is, so
16 I don't know if it's affiliated or not.

17 Q. Okay.

18 A. But at the time, it was known as Roger
19 Groves.

20 Q. Anyplace else that you can think of?

21 A. No.

22 Q. And you don't recall hauling to Powell
23 Road?

24 A. I may have been in Powell Road a couple of
25 times, but at this present time, I don't know if it

1 was as a passenger or hauling the load. If it was
2 hauling a load, I certainly wouldn't have any idea who
3 it would have been.

4 Q. It's our understanding that Powell Road,
5 the original owner converted it from a gravel pit to a
6 landfill about 1959, so again, that's probably just
7 prior to the time that you started driving, so it
8 would have been in its infancy, I believe. Okay. So
9 you never hauled to Valleycrest landfill, to your
10 knowledge, which would have opened in '66?

11 A. I really don't remember hauling loads into
12 Valleycrest.

13 Q. Fair enough.

14 A. But I have rode into the landfill with
15 drivers maybe doing a survey or something with one of
16 them, but as far as knowing specifically a load hauled
17 in, I couldn't pinpoint that.

18 Q. Let me ask you, I have a few documents -- I
19 went to our storage facility, and I did find a few
20 invoices -- well, this is during the time period that
21 you were gone, but I'll just see if these look
22 familiar to you -- again, issued by north sanitary
23 landfill, billing address, 101 Valleycrest Drive, and
24 I found various invoices that indicate site number
25 one, site number two or site number three.

1 We know site number two is Springfield. We
2 know site number three is Hilltop. We're not sure
3 about site number one, if it's Cardington or if it's
4 Valleycrest. Are you familiar with -- have you ever
5 seen this document before (indicating)?

6 A. No, ma'am.

7 Q. Not at all?

8 A. I wouldn't have any reason to have seen
9 these.

10 Q. I didn't know if when you got in -- I
11 realize it's probably a billing function.

12 A. Uh-hum.

13 Q. But I just thought I'd ask you anyway since
14 you have been around longer than some of the others.

15 A. Yeah.

16 Q. So that doesn't --

17 A. That didn't --

18 Q. -- do anything for you? Okay. Do you have
19 any idea, to your recollection, which site site one
20 may have been?

21 A. No.

22 Q. No? Okay. Would it be helpful, would you
23 like to go through a list of customers with me and see
24 if you would be able to help as far as when you were
25 dispatching, would you be familiar with, you know, who

1 our accounts were and have any independent knowledge
2 of where this might have been directed to?

3 A. Sure.

4 Q. We'll read through these. First of all,
5 these are names that we extracted from some of the
6 Cardington Road transcripts. I think they're
7 predominantly Cardington Road customers or that
8 they're Waste Management taken to Cardington Road, but
9 there may be some overlap. Okay?

10 A. Okay.

11 Q. We're particularly interested in knowing
12 whether any of this waste may have gone to Valleycrest
13 or Powell Road, so if you can help with that, great.
14 If you don't know, that's fine.

15 A. Well, the only thing I could tell you, if
16 Valleycrest was in operation at the time we were
17 hauling these customers, I would think that it would
18 go to Valleycrest as opposed to -- what was the other
19 one?

20 Q. Cardington Road.

21 A. Cardington?

22 Q. Yes.

23 A. Well, both the landfills were in operation
24 at the same time?

25 Q. Again, Valleycrest was open from '66 to

1 '75, and Cardington we know was open from about 1970
2 to 1980, so there is an overlap period. Again, three
3 years of it was while you were gone. From about 1970
4 to '75 would be the overlap period.

5 A. Uh-hum. That would be hard to determine,
6 if both landfills were in operation, where they did go
7 since they both were owned by Danis.

8 Q. Right. Well, before we even get into that,
9 do you have any independent recollection just off the
10 top of your head of accounts you know were dispatched
11 to particularly Valleycrest?

12 A. Okay. I would think, and I'm pretty sure,
13 that Dayton Tire & Rubber would have been one that
14 would have went to Valleycrest. Sheffield
15 Corporation --

16 Q. Sheffield?

17 A. Yes.

18 Q. What --

19 A. That was right on Springfield Street right
20 above our office at the time.

21 Q. What is Sheffield? I'm not familiar with
22 them. No one's mentioned them.

23 A. Well, it's had three different names. It
24 could have been A.M. Bendix.

25 Q. Oh. As in the Bendix Corporation?

1 A. Yes. Is that on there?

2 Q. Yes. It's somewhere on there.

3 A. I think I remember it from the last time.

4 Q. Okay.

5 A. That would have probably went to
6 Valleycrest when it was in operation.

7 Q. Well, first of all, with Dayton Tire &
8 Rubber would you have any recollection or do you have
9 any recollection of what type of waste?

10 A. I had one product that I remember
11 specifically. They called it a grease skip, had
12 liquids in it, lamp black.

13 Q. Uh-hum.

14 A. It was just a mixture of a lot of gooky
15 looking stuff. As far as what it really was, I
16 couldn't say.

17 Q. I think Joe Smart mentioned the grease
18 skip, that it was all the drippings that kind of came
19 down.

20 A. I really don't know what process it came
21 out of, but it was pretty messy.

22 Q. And, yes, the lamp black.

23 A. Yeah. And lots of paper bags, scrap
24 rubber, lot of wood. That's primarily it.

25 Q. And that probably went to Valleycrest?

1 A. Yes.

2 Q. Perhaps, again, where the overlap probably
3 comes in is once Valleycrest closed, some of that
4 waste probably was -- or those accounts were -- their
5 waste was hauled to Cardington, I would imagine?

6 A. Most likely, yes.

7 Q. How about with Sheffield or Bendix?

8 A. I'm not really sure of their trash stream,
9 but the best I can remember, it would have been like
10 wood and a lot of cardboard and maybe floor sweepings
11 and debris of that nature.

12 Q. Okay.

13 A. I don't recall any special waste or
14 anything from Sheffield.

15 Q. Anyone else that comes to mind with respect
16 to Valleycrest?

17 A. Dayton Castings probably went into
18 Valleycrest. It was sand, foundry sand.

19 Q. Were these large accounts that you're -- I
20 mean, daily pulls?

21 A. Yes, they were our larger accounts.

22 Q. For all of these, Dayton Tire, Bendix,
23 Dayton Castings?

24 A. As a matter of fact, Dayton Tire almost
25 took a man continuously.

1 Q. So they hauled like twenty-four hours a
2 day?

3 A. Well, no. All through the day.

4 Q. Just through the day?

5 A. Occasionally we might have to go in the
6 evenings, but Dayton Castings was -- I don't believe
7 it was a daily pickup. I think at least twice or
8 three times a week we hauled Dayton Castings.

9 Q. Were these roll-on or lugger boxes or --

10 A. These were luggers at the time.

11 Q. Anything else?

12 A. Ohio Castings, that was a sludge,
13 chalky-type sludge. That was probably serviced about
14 three times a week.

15 Q. Three times a week? Again, lugger?

16 A. Yes.

17 Q. And that went to Valleycrest as well?

18 A. Yes.

19 Q. Is that the same thing as Ohio Precision
20 Castings?

21 A. Yes.

22 Q. Was there other trash as well, or was it
23 mostly the sludge?

24 A. Just the sludge.

25 Q. The sludge?

1 A. As a matter of fact, we had a dry and a wet
2 sludge --

3 Q. Dry and wet?

4 A. -- that we hauled out. And Delco downtown,
5 we hauled a sludge out of there that would have went
6 to --

7 Q. Valleycrest?

8 A. -- Valleycrest.

9 Q. Do you know -- some of the gentlemen have
10 referred to, you know, plant twenty or plant
11 fourteen.

12 A. This would have been plant three.

13 Q. Delco plant three?

14 A. Yes. That was at First and Sears Street, I
15 believe, at the time.

16 Q. And this was a sludge?

17 A. Yes.

18 Q. Was this a daily --

19 A. Pretty much so.

20 Q. -- pickup? Any other type of trash, or was
21 it, again, predominantly these were just -- it was the
22 sludge?

23 A. Later on we did put in compactors, trash
24 compactors, at Delco plants. It was just a general
25 trash flow. By that, I mean paper, wood, and so on.

1 Q. Anything else?

2 A. I'm trying to look at the list here.

3 MS. BRIARTON: Let's go off the
4 record.

5 (Thereupon, an off-the-record
6 discussion was had.)

7 THE WITNESS: This DAP, that would have
8 went into Valleycrest.

9 Q. DAP?

10 A. Yes. There would have been a lot of
11 caulking compound.

12 Q. This is going to Valleycrest?

13 A. Yes.

14 Q. And was this daily or a couple times a
15 week?

16 A. About twice a week.

17 Q. Twice a week? Lugger boxes?

18 A. That was a compactor.

19 Q. Oh, compactor?

20 A. NCR, that also went over to Roger Groves
21 landfill. I'm not certain if any of that ever came
22 into Valleycrest or not.

23 Q. Do you recall what type of waste you did --
24 or did you haul this? Do you recall hauling this or
25 just dispatching?

1 A. I hauled this for a while.

2 Q. Anything you can tell me about the waste?

3 A. Just paper, wood, floor sweepings, a lot of
4 like hard IBM-type cards and --

5 Q. Computer cards like?

6 A. Yes. There was one area, I assume it was
7 called a machine shop, they had one container that was
8 filled with liquid that we dumped right in with the
9 trash when it was dumped, and this was hauled to the
10 landfill.

11 Q. Again, you know this probably went to
12 Groves, but you're not certain about Valleycrest?

13 A. No, I'm not.

14 Q. Okay.

15 A. The customers, they look familiar but,
16 there again, the time frame, it's so --

17 Q. Sure. It's thirty years ago, twenty-five
18 to thirty years ago.

19 A. Bluebird Pie I'm sure went there.

20 Q. This would be before the incinerators?

21 A. Yes.

22 Q. Was that pie? Pie filling and cans?

23 A. That was primarily cans mostly.

24 Q. Everyone says the same thing.

25 A. Do they?

1 Q. Pie filling and cans.

2 A. Of course, we had contractors that we
3 hauled at the time, and one that comes to mind right
4 now would have been Campbell Roofing at the time,
5 would have went to Valleycrest.

6 Q. I assume roofing materials?

7 A. Yes.

8 Q. Shingles, asphalt, tar papers?

9 A. Right.

10 Q. That type of --

11 A. Yes, uh-hum.

12 Q. Was this a large account? No one has
13 mentioned them before, so I'm not familiar.

14 A. It was -- they were a fairly large outfit.

15 Q. Not necessarily -- was it daily or, you
16 know, on call or --

17 A. Pretty much on call.

18 Q. Okay.

19 A. Okay. This Inland manufacturing --

20 Q. GM/Inland?

21 A. Yes. That -- that had went to Roger Groves
22 landfill, and I have hauled their trash into the
23 Gettysburg site also. I'm just not certain about
24 Valleycrest.

25 Q. Do you recall what type of -- was it

1 general trash? Was it --

2 A. They manufactured brake shoes up there, and
3 we had a lot of brake shoe dust plus brake shoe
4 parts. They also made dashboards, which we got a lot
5 of vinyl and foam rubber, and that's pretty much the
6 nature of their trash flow.

7 Q. You know, I spoke with Ray Davis, who used
8 to be the sales manager for IWD.

9 A. Yes.

10 Q. And he also, I believe, mentioned that they
11 got a lot of the -- I don't know if it was asbestos
12 or grinding from when they made the brake shoes and
13 they would grind off the excess and there was this --

14 A. That's what I referred to as the brake shoe
15 dust.

16 Q. Right. There was that, and then again, he
17 mentioned that they made dashboards, of course, there
18 were all the vinyl scraps, and he said they used to
19 call them falsies, little pieces of foam rubber that
20 they used while making the dashboards, and he said
21 there would have to be a million of them out in
22 Valleycrest because he said the problem was that they
23 were so light that they wouldn't stay buried, they
24 kept surfacing. They weren't heavy enough and they
25 would constantly be resurfacing as they were running

1 over them with the bulldozers, so that's exactly what
2 he said.

3 A. Yeah, I remember.

4 Q. Okay.

5 A. This Frank Messer & Sons, I'm sure that a
6 lot of their debris has went into Valleycrest.

7 Q. A lot of the construction?

8 A. Yes, just general construction debris.

9 Q. Depending on where they were working at the
10 time?

11 A. This Valentine Matchplate, it was a dry,
12 powdery type of material. I'm not certain what it
13 was. I would assume it's some sort of plaster of
14 Paris or something like that.

15 Q. Do you know what they did?

16 A. Some sort of molds. I --

17 Q. Molds? Okay. Do you have any idea if that
18 may have gone to Valleycrest?

19 A. I'm sure it did.

20 Q. You're sure it did?

21 A. Yeah.

22 Q. Again, would this have been a daily or an
23 on call or a couple times a week?

24 A. Call-in.

25 Q. Call-in? Okay.

1 A. Tru-Foto, it would have went to
2 Valleycrest, and we had a compactor in there, and it
3 was a zillion photographs, you know, throwed away, old
4 film, a lot of containers for their developing process
5 like -- well, I don't know what they used for
6 development.

7 Q. Were there any chemicals or any of the
8 liquids they used?

9 A. Well, the containers that they came in was
10 in the trash flow, but whether or not there would have
11 been any amount -- any great amount that got into the
12 fill, I really couldn't say, but certainly the
13 containers that they came in was in the trash. And I
14 can't really say what it was, because I don't know.

15 Mullins Rubber I'm certain went to
16 Valleycrest. That's, again, primarily about the same
17 type of debris you would have had like from Dayton
18 Tire minus the grease skip-type sludge.

19 Q. Pieces of rubber, from what I understand,
20 other chunks and --

21 A. And wood. Had a lot of paper, lamp black.

22 Q. Okay.

23 A. Duriron would have been.

24 Q. Duriron?

25 A. Yes.

1 Q. What can you tell me about their waste
2 stream?

3 A. Lot of foundry sand would have been in the
4 compactor. Bags, skids, floor sweepings. That pretty
5 much was the flow. There might have been pieces of
6 broken molds.

7 Q. And this went to Valleycrest?

8 A. (Witness nodding head up and down.)

9 Q. And was this a call-in, daily?

10 A. Pretty much a call-in.

11 Q. Call-in? Okay.

12 A. But it would have probably been picked up
13 two or three times a week, because we did a pretty big
14 volume.

15 Q. I meant to ask you with Mullins Rubber,
16 what was the frequency?

17 A. Maybe twice a week. How many years did
18 Valleycrest and Cardington overlap?

19 Q. To our knowledge, five, from 1970 to '75.

20 A. '70 was when Cardington opened?

21 Q. Correct.

22 A. Okay.

23 Q. Approximately. It's my understanding a lot
24 of demolition debris went to Cardington. I don't know
25 if it went to Valleycrest prior to the time Cardington

1 opened, but many of the drivers have indicated that
2 that's where a lot of construction debris went.

3 A. Well, you know, I've pretty well scanned
4 it. Anything else is just sort of hypothetical.

5 Q. That's fine. That's great. I have a few
6 more questions, but rather than read through each one
7 of these, I thought I'd just let you look it over.
8 All right. As far as when you worked for Danis back
9 in '62, do you have much knowledge or information
10 concerning the Danis operations and their landfills
11 such as Valleycrest? I realize you were a driver.

12 A. In what respect?

13 Q. Well --

14 A. Any technical thing, I wouldn't have known
15 about it.

16 Q. Do you recall the names of any of the
17 personnel? Well, let's see. You were night
18 dispatcher at that time. Do you recall any names of
19 Valleycrest personnel such as, you know, the
20 gatekeeper or who ran the operations or anyone at
21 Danis who oversaw operations?

22 A. Charles Moore and Isom Moore were equipment
23 operators on Valleycrest.

24 Q. Charles Moore, M O O R E?

25 A. Yes.

1 Q. And what was the other name?

2 A. I think he spelled his name I S O M, Isom.
3 That was his -- they were brothers, but they operated
4 the equipment on both Cardington and Valleycrest.

5 Q. They were both equipment operators?

6 A. Yes.

7 Q. This would be in the '60's?

8 A. Yes.

9 Q. Do you have any idea if they're still in
10 the area or still alive?

11 A. No. I don't know if they're still alive or
12 not, but I'm sure they're still in the area if they
13 are.

14 Q. Were they long-term employees?

15 A. Oh, yes. As a matter of fact, I'm almost
16 surprised that their names haven't popped up before.

17 Q. No. Not at all. Do you know when -- did
18 they stay on through the Waste acquisition?

19 A. I think they were gone at that time.

20 Q. They were with Danis a long time?

21 A. Yes. As a matter of fact, there was about
22 three or four of the brothers that worked for Danis
23 almost all their life.

24 Q. Oh, they have other brothers as well?

25 A. Yeah, there was. But just the two that I

1 mentioned worked on the landfills.

2 Q. Sure.

3 A. There were three or four of the brothers
4 that worked for Danis, and I'm sure that those two,
5 if, in fact, they are still alive, could really feed
6 you some information.

7 Q. Do you remember anyone else who worked at
8 or was familiar with the Valleycrest operations?

9 A. Skip --

10 Q. Jacomet?

11 A. Yes.

12 Q. I think his name was Ralph, and they called
13 him Skip Jacomet.

14 A. Skip's all I knew.

15 Q. I haven't located him yet, but his name has
16 been mentioned. Did you work with Art Durczynski?

17 A. Yes, I did.

18 Q. And you worked with Ray Davis?

19 A. Yes.

20 Q. It's my understanding Art was a GM with
21 IWD, and Ray was, of course, IWD sales manager.

22 A. Right. Has anyone mentioned the name of
23 Rod Christian?

24 Q. Nobody's mentioned him, although I've seen
25 his name on documents.

1 A. Well, I'm not sure if he worked at
2 Cardington or not. He may not have come on the scene
3 till Pinnacle.

4 Q. Okay.

5 A. As a matter of fact, I don't believe he
6 did, because Skip, he was at Pinnacle for a short
7 period of time, so Rod, I think, was the one that
8 replaced him.

9 Q. Does the name Lester Miller -- someone had
10 mentioned him as being having been a Valleycrest
11 gatekeeper. Does that sound familiar?

12 A. Vaguely, yes.

13 Q. Did you work with Jim Foster or Terry
14 Wilmer?

15 A. Yes. Yes.

16 Q. Both were dispatchers, to my understanding,
17 for IWD?

18 A. Yes.

19 Q. Do you have any idea where they might be?

20 A. Terry Wilmer, he just left the company
21 recently, less than a year ago.

22 Q. Okay.

23 A. He's still in the area. I think he is a
24 deputy sheriff for a township. It escapes me at the
25 moment. Butler Township.

1 Q. Butler Township?

2 A. Yes. Jim Foster, I have no idea. The last
3 I heard, he was in Florida.

4 Q. Now, were these gentlemen dispatchers after
5 you, before you? I'm not sure where exactly they fit
6 in.

7 A. Terry Wilmer was after, but I don't think
8 he'll date back to the period that you're talking
9 about now.

10 Q. How about Jim Foster?

11 A. He would have been in that era, but there
12 again, I don't know where he would be.

13 Q. In '65 when you were dispatching, night
14 shift meaning what time? What time did you start
15 generally?

16 A. I think I started around 3:00 or 4:00 in
17 the afternoon, best I can remember, and I'd stay till
18 12:00, 1:00 or 2:00, something in there. I primarily
19 did the drivers' sheets.

20 There wasn't a great deal of dispatching,
21 you know, after that hour. We had a front end load
22 route that started, I think, around 12:00, 1:00 that
23 ran pretty much the southern part of the city.

24 Q. As a dispatcher and even if there wasn't a
25 tremendous amount of activity at that time of night,

1 do you recall dispatching to -- again, this would be
2 from '65 until the time you left in '70 -- do you
3 recall dispatching drivers to Valleycrest? Did they
4 run twenty-four -- I mean, did they run -- do you
5 recall them running a lot of nights?

6 A. I can't remember dispatching there.

7 Q. You just don't remember it or --

8 A. I just don't remember.

9 Q. Okay.

10 A. Now, keep in mind that the last -- like '68
11 and '69, I was in sales at that time, so I was only on
12 this night dispatch thing about a year.

13 Q. So you were night dispatcher for about a
14 year?

15 A. Roughly.

16 Q. Then you went into sales for about two
17 years probably until the time you left in '70?

18 A. Right about that time.

19 Q. Well, then, when you left and then returned
20 in '73 dispatching on third shift, that would have
21 been a time when Valleycrest and Cardington and Powell
22 were all operating. Any recollection as far as --
23 again, were you still doing drivers' sheets, things
24 like that?

25 A. At night.

1 Q. At night?

2 A. However, I did do some dispatching, but
3 it's so vague, I really can't remember any specific
4 customer that I would have dispatched at that hour.
5 Most of the people that ran in the evenings like that
6 would have a list of what they were to do, and they'd
7 just pretty much go do it.

8 I'm trying to remember where specific
9 things went. It's rough that far back, but there's
10 some things, you know, that I can say was pretty
11 obvious that they went to Valleycrest and wherever,
12 you know, but, there again, it's just words. I don't
13 know for sure.

14 Q. Sure. Unfortunately, because this is such
15 an old site, we don't have a lot of documentation, and
16 that's the problem, other than the fact that we
17 allegedly operated, you know, the site -- well, not
18 that we did, that Danis did. Are you familiar with
19 Keystone Gravel? Does that mean anything to you?

20 A. I've heard the name. I'm not --

21 Q. Because Danis had apparently, well,
22 acquired the interest, I think, from Louie Blalock in
23 Valleycrest and continued to operate, and Keystone was
24 the owner. I didn't know if you were familiar, had
25 any information on that transaction.

1 A. No.

2 Q. Do you have any knowledge about, even if
3 you didn't haul there, other types of waste or things
4 that were disposed of at Valleycrest such as -- I've
5 heard various stories about everything went there,
6 whether it was chemicals and sludges and barrels and
7 that they had a lake on the parcel that they were
8 filling in with foundry sand and anything else that
9 didn't float. Anything like that?

10 A. It was a little loose back in those days.

11 Q. Well, that's what I understand. There were
12 no regulations, and everything --

13 A. Has anyone talked to Ed Jackson? Has that
14 name come up?

15 Q. I attempted to contact him last year
16 sometime with respect to Cardington Road, and his wife
17 informed me that he has Parkinson's disease and
18 wouldn't let me speak with him, so that's as far as I
19 got with him.

20 A. Okay. I can say this, and again, this is
21 only hearsay. I don't know this to be fact, but I've
22 been told that Mr. Jackson on the weekends
23 occasionally would go to Valleycrest with his .30/.30
24 high-powered rifle and sink drums at that site. I
25 have no idea if that's the truth or not.

1 Q. Well, it's interesting, because one of the
2 drivers alluded to that, even if something didn't
3 float, they made it float or made it -- if it didn't
4 sink, they made it sink.

5 A. Yeah.

6 Q. So that's --

7 A. We've had, I think, a couple pretty good
8 fires at Valleycrest at different times, and I was
9 told that there would be drums, you know, blow out of
10 the ground like fifty feet in the air, so there is
11 that type of material in there.

12 Q. Sure. I don't think I mentioned to you
13 yet, when I spoke with Ray Davis, he indicated that
14 NCR disposed of -- it was a combination of like
15 one-third magnesium chips and two-thirds water and it
16 was packed in barrels and that apparently it was -- I
17 don't know if it was exposed to the air, if it would
18 ignite or something, but these barrels were disposed
19 of in a separate area at Valleycrest and that every
20 once in a while, that there would be some kind of
21 combustion and these would ignite. I'm not a chemist,
22 but if that's --

23 A. That happened at one other account. I
24 think I mentioned it to Mr. McDonald, that last
25 interview I was in. The account was Mink Dayton. We

1 got magnesium out of that account, and unfortunately,
2 we got some liquid on it and our truck caught fire and
3 it was white hot, and this at the time was going into
4 Cardington Road, so -- but that type of thing did
5 happen. So I'm not certain about the -- what you
6 stated that Ray said about NCR, but that's --

7 Q. Yes. I can't dispute it. I can't confirm
8 it. This is just -- you know, everyone tells you
9 something different and everyone has a different tale
10 to tell, but it's my understanding that just
11 everything under the sun went in there.

12 A. It's amazing what went in fills thirty,
13 forty years ago.

14 Q. Were you familiar with the -- even if you
15 didn't dump there, the two parcels of land, how
16 Valleycrest is apparently divided by -- a street runs
17 through and then there's the original parcel on one
18 side and then a smaller parcel on the other, so when
19 the one was full, then they started on the other
20 side?

21 A. Yes. I remember we had an entrance on
22 Valleycrest and we also had an entrance off of Valley
23 Street.

24 Q. Oh, okay. Is that what the difference is?
25 Valleycrest and Valley Street are two different --

1 A. Yes. They're two different streets.

2 Q. Okay.

3 A. Valleycrest is just across the landfill to
4 Valley Street.

5 Q. Because so many people have referred to
6 Valley Street and Valleycrest, but actually, that's
7 just the different entrances, although the parcels are
8 across from each other?

9 A. Yeah.

10 Q. To your knowledge, the same type of
11 landfilling activities at both parcels?

12 A. Uh-hum.

13 Q. Do you know if the water or the alleged
14 lake was just in the one side? Was there water on
15 both sides?

16 A. I think the water was just pretty much in
17 the middle of the two parcels of land you're talking
18 about. I'm not certain where the boundaries were.
19 However, I -- the two entrances, I do remember those.

20 Q. That's the only map I have (indicating).
21 It's not much of one.

22 A. Okay. This is Valley Street here. That
23 would have come on around to this side (indicating).

24 Q. Same as Valley Pike?

25 A. Uh-hum. Same thing. It would have come in

1 this way. The original entrance was here
2 (indicating).

3 Q. Was this both parcels, or was there another
4 section somewhere over here (indicating)?

5 A. I thought they pretty well joined.

6 Q. Oh, okay. I've never seen it.

7 A. I don't know why they would have called it
8 two parcels unless --

9 Q. Was it separated by a railroad track or
10 something like that? Maybe that's --

11 A. I don't remember a railroad track. A
12 railroad track ran right here (indicating), but that
13 doesn't even go up to that.

14 Q. Well, from what I recall -- well, there
15 must have been an easement, because it was owned by
16 Keystone Gravel, I think Brandt Pike and B&O Railroad,
17 and that's who Danis or north sanitary landfill made
18 the lease payments to for the property, so I think it
19 was --

20 A. Well, I'm not familiar with that phase of
21 it.

22 Q. Let's see here. Let's see what else I
23 can ask you before I let you go. Do you recall any
24 generators designating at that time, at either time
25 when you were dispatching, where the waste was to go,

1 or was it pretty much left up to the transporter based
2 on geographic proximity?

3 A. I don't recall any --

4 Q. Site selection?

5 A. No, not at the moment.

6 Q. Okay.

7 A. However, we did try to -- like construction
8 debris, we would -- if there would have been a hard
9 fill in operation, we would try to take like dirt or
10 something that could go to a site that didn't need a
11 license that could be used as a fill.

12 So we probably used sites like that, but if
13 we had a load of dirt or something, you know, somebody
14 needed a load of fill dirt, why -- but as far as
15 someone specifically saying that has to go to a
16 certain spot, I can't recall any at the moment.

17 Q. Let me ask you a few questions about Powell
18 Road and then we'll go home.

19 (Pause in proceedings.)

20 Q. We were looking at some documents here with
21 respect to Powell Road, and let me just ask you
22 briefly, do you have any recollection or information
23 on Powell Road, again, which closed in 1984?

24 A. I didn't know the exact date.

25 Q. You would have been probably into the

1 '80's? You would have been a route supervisor at that
2 time?

3 A. Yes.

4 Q. Do you recall customers' waste being routed
5 to Powell Road or diverted from the landfills from
6 IWD?

7 A. I just can't. I'm sorry.

8 Q. That's okay. That's fine.

9 (Thereupon, an off-the-record
10 discussion was had.)

11 MS. BRIARTON: Well, I think that about
12 covers it unless there's anything else you can think
13 of.

14 THE WITNESS: If I think of anything,
15 I'll call you.

16 MS. BRIARTON: Okay. It's a deal.
17 Thank you.

18 (Thereupon, the statement was concluded
19 at 6:40 o'clock p.m.)

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1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Caryl L. Blevins, a Notary Public within and
4 for the State of Ohio, duly commissioned and
5 qualified,

6 DO HEREBY CERTIFY that the above-named
7 ROBERT J. DALTON, was by me first duly sworn to
8 testify the truth, the whole truth and nothing but the
9 truth; that said testimony was reduced to writing by
10 me stenographically in the presence of the witness and
11 thereafter reduced to typewriting.

12 I FURTHER CERTIFY that I am not a relative or
13 Attorney of either party nor in any manner interested
14 in the event of this action.

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 and seal of office at Dayton, Ohio, on this
17 16th day of March, 1993.

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CARYL L. BLEVINS
NOTARY PUBLIC, STATE OF OHIO
My commission expires 7-16-93